



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. NO.15850 OF 2022

AND

W.M.P.NO.15148 OF 2022

R.Chandran

...Petitioner

Vs.

1.The Commissioner of Police
Tiruppur, Tiruppur District

2.The State rep by its
The Inspector of Police
Veerapandi Police Station
Tiruppur District

3.Ayyasamy

4.Karthick

5.Viswanathan

6.Ramasamy

7.Chinnasamy

8.Radhakrishnan

...Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, forbearing the respondents No.1 to 2 from interfering with civil disputes between petitioner and respondent No.3 to 8 by considering his representation dated 17.05.2022.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.A.Gokulakrishnan for R1 & R2
Additional Public Prosecutor

O R D E R

The Writ Petition has been filed seeking for issuance of Writ of Mandamus to forbear the respondents No.1 to 2 from interfering with civil disputes between petitioner and respondent No.3 to 8 by considering his representation dated 17.05.2022.



2. According to the petitioner, he had entered into a sale agreement with the respondent Nos. 3 and 4 comprising 3.88 acres in S.No.476/Resurvey No.476/1B situated at Veerapandi Village, Tiruppur District and had paid Rs.15 lakhs as advance. However, he could not pay the entire amount and in the meanwhile, respondents Nos.3 to 7 agreed to refund the amount to him, for which, they obtained a signed cheque from the petitioner and he was told that after sale consideration, the said signed cheque will be returned to him. It is the grievance of the petitioner is that pursuant to to the sale consideration, the said signed cheque was not returned to the petitioner. Hence, the petitioner sent a legal notice to the respondents. Nevertheless, the respondent Nos. 3 to 8 is instigating the respondent Nos. 1 and 2 police under the pretext of enquiry. Hence, the present petition is filed seeking non interference of the respondent Nos.1 and 2.

3. It is stated by the learned counsel for the petitioner that the matter is a civil dispute and the respondents police is unnecessarily interfering. Whereas, the learned Additional Public Prosecutor submits that the complaint is received against the petitioner and the petitioner shall co-operate for enquiry. If they found that the matter is purely a civil dispute, then then will relegate the petitioner.

4. Heard the learned the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of this case, this Court is of the view that the respondent police shall issue notice seeking appearance of the petitioner. It is made clear that on such notice, the petitioner shall appear before the respondent police for enquiry.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

dhk

To

1.The Commissioner of Police
Tiruppur, Tiruppur District



2.The Inspector of Police
Veerapandi Police Station
Tiruppur District

3.The Public Prosecutor
High Court, Madras

+1cc to Mr.K.Myilsamy, Advocate Sr.No.39561

W.P.No.15850 of 2022

SR(CO)
RVM(07/07/2022)